

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANCO BARTZIK RUBIO,

Petitioner,

-V-

SANDRA LETICIA MORALES LOPEZ,

Respondent.

23-CV-1423 (JMF)

ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:

The parties have advised the Court that “an agreement on most points has been reached.” ECF No. 54. The Court commends the parties on their success in reaching agreement given the nature of the case. In light of the agreement, it is ORDERED that the above-entitled action be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within sixty days** of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Per Paragraph 5.B of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. (In the event that the settlement is not consummated and the case is reopened, the Court will reinstate the pending motion and reset the deadline to file a reply.) All conferences are canceled. The Clerk of Court is directed to close the case and terminate ECF No. 54.

SO ORDERED.

Dated: August 14, 2023
New York, New York

Paul J. Smith

JESSE M. FURMAN
United States District Judge